

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR**SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.****WRIT PETITION No.1911 OF 2006****PETITIONERS**

1. Pandit Chhitani Mitani Prasad Dubey
Shikshan Samiti, Bilaspur, through
President/Chairman-Bhagwat Prasad
Dubey, S/o Late Shri M.P. Dubey,
Aged about - 67 years, R/o Sadar
Bazar, Bilaspur (C.G.)
2. Principal
CMD Post-Graduate College,
Juna Bilaspur, Bilaspur (C.G.)

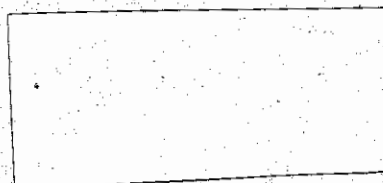
Versus**RESPONDENT**

1. State of Chhattisgarh
Through the Secretary Department
of Health
D.K.S. Bhawan Mantralaya
Raipur (C.G.)
2. Collector, Bilaspur (C.G.)
3. Municipal Corporation Bilaspur,
Through : Commissioner, Bilaspur
(C.G.)
4. S.D.O. Bilaspur
5. Sub Divisional Officer
Bilaspur (C.G.)

Present : Shri Prateek Sharma, learned counsel for the petitioners.
Shri Prashant Mishra, learned Addl. Advocate General
with Shri A.S. Kachhawaha, learned Govt. Advocate for
the State of Chhattisgarh.

ORAL ORDER**(Passed on 18th April, 2006)**

The complaint of the petitioners in this writ petition is that the respondents-State Authorities, having encroached upon their land, proposed to construct a building for District Hospital. There is no need for this Court to undertake adjudication of the above claim of the petitioners. Suffice it to state that if the subject land is owned by the petitioners and the respondents-State Authorities have encroached the subject land and proposed to construct a building for housing District



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Hospital, the petitioners can workout their legal remedies by way of private law review remedies of declaration, injunction and damages, as the case may be. In that view of the matter, I decline to entertain this writ petition, however, reserving liberty to the petitioners to workout their legal remedies, as indicated above.

Sd/-
Chief Justice

Kamale